

REMARKS

The Office Action dated February 3, 2009, (“Office Action”) has been received and carefully considered. Reconsideration of the outstanding rejections in the present application is respectfully requested based on the following remarks.

Claims 1-21 and 23-30 are pending. By this Amendment, claims 1, 15, 25, and 29 are amended and claim 30 is added. No new matter is presented.

I. **THE NON-STATUTORY SUBJECT MATTER REJECTION OF CLAIMS 1-21 AND 23-29**

On pages 2-5 of the Office Action, claims 1-21 and 23-29 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. This rejection is hereby respectfully traversed.

Regarding claim 1, the Office Action asserts that the recited modules in claim 1 constitute a series of software programs that are not claimed as embodied on a computer-readable medium and thus are incapable of causing a functional change in the computer. The Office Action further asserts that although claim 1 is drawn to a system, claim 1 fails to recite any of system components or hardware that comprise the system and are necessary to accomplish the claimed functions. Applicant respectfully disagrees. However, in order to forward the prosecution of the present application, Applicant has amended claim 1 to more specifically recite additional system components or hardware (e.g., a client station) that comprises the system. Moreover, Applicant respectfully submits that claim 1 does recite system components or hardware. Specifically, claim 1 recites “a filtering module associated with an engine” and “an administration module associated with the engine,” wherein the engine is a server station. *See*,

Figure 2, page 10, line 4 to page 11, line 9 of the Specification, in accordance with one embodiment of the invention. Accordingly, Applicant respectfully submits that claim 1 is directed to statutory matter.

Regarding claim 15, the Office Action asserts that claim 15 recites a series of method steps directed to personalizing delivery insurance or financial services, wherein the method steps include “receiving a product selection,” “determining information about a user,” “personalizing the information,” and “delivering the content.” The Office Action further asserts that the method steps presented in the body of the claim fail to positively recite the use of a machine, article of manufacture, or a composition of matter in achieving the desired result. Applicant respectfully disagrees. However, in order to forward the prosecution of the present application, Applicant has amended claim 15 to more specifically recite additional system components or hardware (e.g., a client station) to achieve the desired results recited in claim 15. Moreover, Applicant respectfully submits that claim 15 does positively recite the use of a machine in achieving the desired result. Specifically, claim 15 recites “determining information about the user based on the user’s historical access pattern to particular insurance products or policies and products and services the user is authorized to sell using a filter module associated with an engine, the engine being accessible by the client station associated with the user over a communications network,” wherein the engine is a server station. *See, Figure 2, page 10, line 4 to page 11, line 9 of the Specification.* Accordingly, Applicant respectfully submits that claim 15 is directed to statutory matter.

Regarding claim 29, the Office Action asserts that the recited modules in claim 29 constitute a series of software programs that are not claimed as embodied on a computer-readable medium and thus are incapable of causing a functional change in the computer. The

Office Action further asserts that although claim 1 is drawn to a system, claim 29 fails to recite any of system components or hardware that comprise the system and are necessary to accomplish the claimed functions. Applicant respectfully disagrees. However, in order to forward the prosecution of the present application, Applicant has amended claim 29 to more specifically recite additional system components or hardware (e.g., a client station) that comprises the system. Moreover, Applicant respectfully submits that claim 29 does recite system components or hardware. Specifically, claim 1 recites “a filtering module associated with an engine” and “an administration module associated with the engine,” wherein the engine is a server station. *See, Figure 2, page 10, line 4 to page 11, line 9 of the Specification.* Accordingly, Applicant respectfully submits that claim 1 is directed to statutory matter.

In view of the foregoing, Applicant respectfully requests that the aforementioned non-statutory subject matter rejection of claims 1-21 and 23-29 be withdrawn.

II. THE OBVIOUSNESS REJECTION OF CLAIMS 1-2, 4-7, 9-21 AND 23-28

On page 6 of the Office Action, claims 1-2, 4-7, 9-21, and 23-28 are currently rejected under 35 U.S.C. § 103(a) as being unpatentable over Cullen (U.S. Patent No. 6,272,528) in view of Chao (U.S. Patent Application Publication No. 2002/0133383) and further in view of Herz (U.S. Patent No. 5,835,087). This rejection is hereby respectfully traversed.

As stated in MPEP § 214 3, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest

all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Applicant respectfully submits that the Office Action has not met the burden of proof in establishing the obviousness of independent claim 1 because Cullen in view of Chao and further in view of Herz, taken either individually or in combination, do not teach or suggest all the claimed features. Further, the Office Action has failed to adequately explain the motivation to combine the applied art to Cullen, Chao, and Herz.

However, in order to forward the prosecution of the present application, Applicant has amended independent claim 1 to more specifically define the claimed invention. In particular, Applicant respectfully submits that Cullen, Chao, and Herz, either taken alone or in combination, fails to disclose, or even suggest, a system for personalizing and delivering insurance or financial services-related content to a user comprising: "a filtering module associated with an engine for: (1) determining information about the user based on the user's historical access pattern to particular insurance products or policies and products and services the user is authorized to sell, wherein the user's historical access pattern to particular insurance products or policies comprises one or more insurance products or policies that the user was interested in during a previous access to the system," as recited in amended claim 1. The Office Action asserts, and Applicant agrees, that Cullen and Chao fail to disclose, or even suggest, such claimed limitation. However, the Office Action relies on Herz to remedy the deficiencies of Cullen and Chao. Applicant respectfully disagrees. In contrast, Herz appears to be concerned with "a filtering system in the system for customized electronic identification of desirable objects automatically selects a set of articles that the user is likely to wish to read." *See*, e.g., column 7, lines 22-25, Emphasis added.

Nowhere does Herz disclose, or even suggest, “the user’s historical access pattern to particular insurance products or polices comprises one or more insurance products or polices that the user was interested in during a previous access to the system,” as recited in amended claim 1.

Moreover, Herz appears to implement the filtering system by comparing the frequency with which each word appears in an article relative to its overall frequency of use in all articles with the target profile interest summary containing user’s interest level in various types of target objects. *See, e.g., Abstract.* In addition, Herz merely discloses that the accuracy of the filtering system improves over time by noting which articles the user reads and by generating a measurement of the depth to which the user reads each article. *See, e.g., column 7, lines 25-27.*

Therefore, Herz fails to disclose, or even suggest, that “the user’s historical access pattern to particular insurance products or polices comprises one or more insurance products or polices that the user was interested in during a previous access to the system,” as recited in amended claim 1.

Also, the Office Action asserts that the Examiner assumes that “based on a historical access pattern” is intended to indicate some form of passive filtering of the user’s browsing patterns. *See, e.g., page 8 of the Office Action.* Applicant respectfully disagrees. However, Applicant has amended independent claim 1 to more specifically define the historical access pattern comprises “one or more insurance products or polices that the user was interested in during a previous access to the system,” as recited in amended claim 1. In contrast, Herz merely discloses a system for developing and using profiles for article retrieval with the basic implementation of an on-line news clipping service. The system includes a system to filter electronic mail, an extension for retrieval of target objects such as purchasable items which may have more complex descriptions, a system to automatically build and alter menuing systems for browsing and searching through large numbers of target objects, and a system to construct the

virtual communities of people with common interests.” *See*, e.g., column 7, lines 48-58. Thus, the Office Action errors in assuming that based on a historical access pattern is intended to indicate some form of passive filtering of the user’s browsing patterns.

Further, Applicant respectfully submits that Cullen fails to disclose, or even suggest, “determining information about the user”, so as to teach or suggest Applicant’s claimed invention. (Emphasis added) In the Office Action, the Examiner appears to equate the insurance agent of Cullen to the recited filtering module in claim 1. Applicant respectfully disagrees. In contrast, Cullen merely discloses that “the insurance agent requests information from the user’s preference agent.” *See*, e.g., column 5, lines 61-62. The insurance agent of Cullen does not determine information about the user, but rather, requests user information from the preference agent. Moreover, the preference agent of Cullen fails to perform the step of “determining information about the user,” as recited in claim 1. Instead, the preference agent of Cullen merely “handle[s] requests for information about user preferences” and “collects the required information from the user.” *See*, e.g., column 4, lines 34-35 and column 5, line 67. In the Response to Argument section of the Office Action, the Office Action asserts that the gathering and assembly of preference information from the user as needed by the preference agent and subsequent gathering of insurance products from vendors that is tailored according to the preference information constitutes “determining information about the user.” *See*, e.g., page 28 of the Office Action. Applicants respectfully disagree. Specifically, Applicant respectfully submits that gathering and assembly of information of Cullen cannot constitute “determining information about the user based on the user’s historical access pattern to particular insurance products or policies and products and services the user is authorized to sell,” as recited in claim

1. Thus, Applicant respectfully submits that Cullen fails to disclose, or even suggest, “determining information about the user,” as recited in claim 1.

Furthermore, Applicant respectfully submits that Cullen fails to disclose, or even suggest, a filtering module “for personalizing and delivering the at least one insurance or financial services-related product or service based on the information about the user,” as presently recited in claim 1. (Emphasis added). The Office Action alleges that the insurance agent of Cullen teaches such recitation. Also, in the Response to Argument section of the Office Action, the Office Action asserts that the gathering and assembly of preference information from the user as needed by the preference agent and subsequent gathering of insurance products from vendors that is tailored according to the preference information constitutes “personalizing the deliverable content to the user.” *See*, e.g., page 28 of the Office Action. Applicant respectfully disagrees. In particular, Applicant submits that claim 1 defines that “personalizing the at least one insurance or financial service-related product or service comprises identifying at least one insurance or financial services-related produce and service the user is authorized to sell.” (Emphasis added). However, the Office Action admits, and Applicant agrees, that Cullen fails to disclose, or even suggest, that the system is applied to selling entities and specifically locates items the user is “authorized to sell.” In contrast, the insurance agent of Cullen merely arranges the received quotations from a quotation agent in order of price/suitability. In addition, Cullen merely discloses the agent-manager presents the user with a bookmark list, comprising a list of agents available for the user to select, wherein the list of agents are for performing a number of different financial services for the user. *See*, e.g., column 5, lines 19-30. Nowhere, does Cullen disclose that the insurance agent personalizes the at least one insurance or financial services-related or

services by “identifying at least one insurance or financial services-related product and service the user is authorized to sell,” as recited in amended claim 1. (Emphasis added).

The Office Action asserts, and Applicant agrees, that Cullen fails to disclose, or even suggest, that the information about the user is “based on the user’s historical access pattern to particular insurance products or policies and products and services the user is authorized to sell,” “identifying at least one insurance or financial services-related product and service the user is authorized to sell,” and “an administration module associated with the engine,” as recited in independent claim 1. However, the Office Action alleges that Chao and Herz remedies such deficiencies. Applicant respectfully disagrees. Specifically, Chao appears to be concerned with distributor management system suite (DMSS) for managing contracts between manufacturers of a product and the distributors of their product in an industry comprising multiple channel selling, a fluid workforce, and regulatory constraints. *See, e.g.,* paragraph [0019]. Applicant submits that Chao merely discloses a selling agreements module 117 integrated with DMSS to define and create individual business contract with distributors, wherein each business contract may define a hierarchy of sales people that can sell products under that contract. *See, e.g.,* paragraph [0057]. At best, Chao may disclose “products and services the user is authorized to sell,” however, Chao fails to disclose, or even suggest, “determining information about the user based on ... products and services the user is authorized to sell,” as recited in claim 1. (Emphasis added). Therefore, Applicant respectfully submits that nowhere, does Chao disclose, or even suggest, “determining information about the user based on ... products and services the user is authorized to sell,” as recited in independent claim 1.

Also, the Office Action alleges that Chao discloses “an administration module associated with the engine for inputting, updating and accessing information about the user and the

insurance or financial services-related content available to the user, the administration module being accessible to an administrator of the system via an administration interface,” as recited in claim 1. Applicant respectfully disagrees. In contrast, Chao merely discloses a distributor administration module 115 for a financial services institution to record and track a broad set of information associated with the institution’s distributors, wherein the distributor information may comprise personal contact information, financial information, and license and appointment information. *See, e.g.,* paragraph [0053]. In addition, Chao discloses distributor administration module 115 may provide services for creating and managing distributor database information, setting up organizational entities, and creating and managing a repository for data about selling agreements. *See, e.g.,* paragraph [0054]. Therefore, the distributor administration module 115 of Chao merely enables the financial institution to manage a distributor information database and services for creating and managing the distributor information database. Nowhere does Chao disclose, or even suggest, “an administration module associated with the engine for inputting, updating and accessing information about the user and the insurance or financial services-related content available to the user,” as recited in claim 1. (Emphasis added). Moreover, Applicant submits that Chao fails to disclose, or even suggest, “the administration module being accessible to an administrator of the system via an administration interface,” as recited in claim 1. (Emphasis added).

Additionally, the Office Action asserts, that it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combine the teachings of Cullen with those of Chao and Herz because such combination would have resulted in a system/method that gathers user preferences and requirements regarding financial products and applies the generated user profile information to the gathering relevant information via the

Internet for presentation to the user. Further, the Office Action alleges that the motivation to combine the teaching of Cullen with those of Chao would have been to manage regulatory information and ensure that distributors are licensed and appointed to sell the products manufactured or distributed by the provider. Applicant respectfully disagrees. Applicant respectfully submits that Cullen teaches away from applying the distributor management system suit (DMSS) of Chao to the user of Cullen. Specifically, Applicant respectfully submits that Cullen appears to be directed to a computer system for delivery of financial services which includes vehicle insurance, obtaining quotations and processing applications, claims and renewals and other forms of financial services, such as buildings insurance, life assurance, pensions and mortgages, or combinations of these services.” *See, e.g.,* column 2, lines 58-67, emphasis added. Therefore, Applicant submits that the user of Cullen is an end user, whom receives the financial services and does not resell or distribute the financial services. In contrast, Chao appears to be directed to a system that enables financial services companies to manage and track information about a sales force, wherein the system includes components for managing distributors information, for validating and tracking licenses and credentials, for creating customized contrast, and for maintaining compensation structures. *See, e.g.,* Abstract, emphasis added. Therefore, Applicant submits that the user of Chao is an intermediate user, whom resell or distribute the financial services. Thus, Applicant respectfully submits that one having ordinary skill in the art at the time the invention was made would not have apply the financial services system for the intermediate user of Chao to the financial services system for the end user of Cullen, as proposed in the Office Action.

Moreover, the Office Action asserts that the motivation to combine the teaching of Cullen with those of Herz would have been to enable a user to access information of relevance and

interest to the user without the user to expend an excessive amount of time and energy searching for the information. Applicant respectfully disagrees. Applicant respectfully submits that Cullen teaches away applying the filtering system to a seller as the Office Action asserts. Specifically, Applicant submits that Cullen discloses “a customer wishing to purchase vehicle insurance, or a broker acting on behalf of a client, could access the websites of a number of insurance company to obtain the cheapest quotation to get a quotation which is most suitable to a consumer’s needs.” *See*, e.g., column 1, lines 12-16. Therefore, the system of Cullen appears to apply to a consumer and not a seller as asserted by the Office Action. Even the broker accessing the system of Cullen, the broker is acting on behalf of a client by buying insurance. Therefore, Applicant respectfully submits that the system of Cullen would not be accessible to a seller as asserted by the Office Action.

Regarding claims 2, 4-7, and 9-14, these claims are dependent upon independent claim 1. Thus, since independent claim 1 should be allowable as discussed above, claims 2, 4-7, and 9-14 should also be allowable at least by virtue of their dependency on independent claim 1. Moreover, these claims recite additional features which are not disclosed, or even suggested, by the cited references taken either alone or in combination.

Regarding claims 15 and 25, these claims recite subject matter related to claim 1. Thus, the arguments set forth above with respect to claim 1 are equally applicable to claims 15 and 25. Accordingly, Applicant respectfully submits that claims 15 and 25 are allowable over cited references for the same reasons as set forth above with respect to claim 1.

Moreover, regarding claims 16-21, 23, 24, and 26-28, these claims are dependent upon independent claims 15 and 25. Thus, since independent claims 15 and 25 should be allowable as discussed above, claims 16-21, 23, 24, and 26-28, should also be allowable at least by virtue of

their dependency on independent claims 15 and 25. Moreover, these claims recite additional features which are not disclosed, or even suggested, by the cited references taken either alone or in combination.

In view of the foregoing, Applicant respectfully requests that the aforementioned obviousness rejection of claims 1-2, 4-7, 9-21 and 23-28 be withdrawn.

III. THE OBVIOUSNESS REJECTION OF CLAIM 3

On page 23 of the Office Action, claim 3 is currently rejected under 35 U.S.C. § 103(a) as being unpatentable over Cullen, in view of Chao and Herz, and further in view of Quido (U.S. Patent Application Publication No. 2003/0093302). This rejection is hereby respectfully traversed.

It is respectfully submitted that the aforementioned obviousness rejection of claim 3 has become moot in view of the deficiencies of the primary references (i.e., Cullen, Chao and Herz) as discussed above with respect to independent claim 1. That is, claim 3 is dependent upon independent claim 1 and thus inherently incorporates all of the limitations of independent claim 1. Also, the secondary reference (i.e., Quido) fails to disclose, or even suggest, the deficiencies of the primary references as discussed above with respect to independent claim 1. Indeed, the Examiner does not even assert such. Thus, the combination of the secondary reference with the primary references also fails to disclose, or even suggest, the deficiencies of the primary references as discussed above with respect to independent claim 1. Accordingly, claim 3 should be allowable over the combination of the secondary reference with the primary references at least by virtue of its dependency on independent claim 1. Moreover, claim 3 recites additional

features which are not disclosed, or even suggested, by the cited references taken either alone or in combination.

IV. THE OBVIOUSNESS REJECTION OF CLAIM 8 AND 29

On page 24 of the Office Action, claims 8 and 29 are currently rejected under 35 U.S.C. § 103(a) as being unpatentable over Cullen, in view of Chao and Herz, and further in view of Parker (U.S. Publication No. 2003/0182290). This rejection is hereby respectfully traversed.

It is respectfully submitted that the aforementioned obviousness rejection of claim 8 has become moot in view of the deficiencies of the primary references (i.e., Cullen, Chao and Herz) as discussed above with respect to independent claim 1. That is, claim 8 is dependent upon independent claim 1 and thus inherently incorporates all of the limitations of independent claim 1. Also, the secondary reference (i.e., Parker) fails to disclose, or even suggest, the deficiencies of the primary references as discussed above with respect to independent claim 1. Indeed, the Examiner does not even assert such. Thus, the combination of the secondary reference with the primary references also fails to disclose, or even suggest, the deficiencies of the primary references as discussed above with respect to independent claim 1. Accordingly, claim 8 should be allowable over the combination of the secondary reference with the other references at least by virtue of its dependency on independent claim 1. Moreover, claim 8 recites additional features which are not disclosed, or even suggested, by the cited references taken either alone or in combination.

For example, claim 8 recites “**the administration interface** further comprises **scanning** means for uploading insurance or financial services-related information.” The Office Action merely cites to paragraph 23 of Parker as disclosure of such recitation. Applicant respectfully disagrees. In contrast, Parker teaches “it is not necessary for the client to store all information

with the ELOP program administrator.” Rather, Parker teaches scanning documents to be stored by the ELOP program provider. Moreover, nowhere does Parker disclose, or even suggest, an “administration interface further comprises scanning means for uploading insurance or financial service-related information,” as presently recited.

Regarding claim 29, this claim recites subject matter related to claim 1. Thus, the arguments set forth above with respect to claim 1 are equally applicable to claim 29. Also, the secondary reference (i.e., Parker) fails to disclose, or even suggest, the deficiencies of the primary references (i.e., Cullen, Chao, and Herz) as discussed above with respect to independent claim 1. Indeed, the Examiner does not even assert such. Thus, the combination of the secondary reference with the primary references also fails to disclose, or even suggest, the deficiencies of the primary references as discussed above with respect to independent claim 29. Accordingly, Applicant respectfully submits that claim 29 is allowable over cited references for the same reasons as set forth above with respect to claim 1.

V. THE NEWLY ADDED CLAIM 30

Regarding newly added claim 30, Applicant respectfully submits that support for newly added claim 30 may be found at least in the Specification on page 4, line 30 to page 5, line 9, for example. Applicant respectfully submits that the newly added claim 30 is allowable over cited references for at least the reasons as discussed above. Moreover, claim 30 recites additional features which are not disclosed, or even suggested, by the applied art taken either alone or in combination. Accordingly, Applicant respectfully submits that the newly added claim 30 is allowable over the applied art.

VI. CONCLUSION

In view of the foregoing, Applicant respectfully submits that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made.

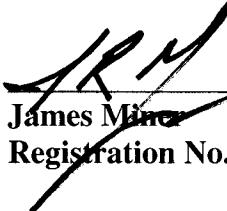
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Respectfully submitted,

Hunton & Williams LLP

Date: JUNE 3, 2009

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